

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

KYLE COUNTS, DAMANY BROWNE, and DENNIS MAYER, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

ARKK FOOD COMPANY, a Michigan corporation, WAHLBURGERS I, LLC, a Massachusetts limited liability company, and PATRIOT PICKLE, INC., a New Jersey corporation,

Defendants.

Case No.: 1:23-cv-00236

Hon. Lindsay C. Jenkins

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AGREEMENT**

Pursuant to Federal Rule of Civil Procedure 23, Plaintiffs Kyle Counts, Damany Browne, and Dennis Mayer (“Plaintiffs”) individually and on behalf of the Settlement Class file their Unopposed Motion for Final Approval of Settlement Agreement. The Motion for Final Approval is set for a Final Approval Hearing on September 25, 2024, at 9:30 a.m.

In support of the Motion for Final Approval, Plaintiffs submit their Memorandum of Law in support and the Declaration of the Settlement Administrator, Steven Weisbrot.

For the reasons set forth in the Memorandum of Law and the Declaration of the Settlement Administrator, Steven Weisbrot, Plaintiffs respectfully request the Court: (i) grant Final Approval of the Settlement; (ii) certify for settlement purposes only the Settlement Class, pursuant to Fed. R. Civ. P. 23(a) and (b)(3); (iii) appoint Plaintiffs as the Class Representatives; (iv) appoint Class

Counsel to represent the Settlement Class; (v) approve the notice provided to the class and (vi) enter the proposed Final Approval Order, dismissing the Action with prejudice.

Dated: August 26, 2024,

Respectfully Submitted

/s/ Kevin Laukaitis

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Attorneys for Plaintiffs and the Class Members

CERTIFICATE OF SERVICE

I certify that on August 26, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a Notice of Electronic Filing to all counsel of record.

/s/*Kevin Laukaitis*
Kevin Laukaitis